

Senate File 228 - Introduced

SENATE FILE 228

BY SODDERS

A BILL FOR

1 An Act relating to the use of a false or secret compartment in a
2 motor vehicle, and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.284B False compartment in motor
2 vehicle.

3 1. As used in this section, "*false or secret compartment*"
4 means any box, container, space, or enclosure that is intended
5 or designed to be used to store, conceal, camouflage, hide,
6 smuggle, transport, or prevent discovery of a person,
7 controlled substance, firearm, weapon, or other contraband and
8 that is within or attached to a motor vehicle including but not
9 limited to any of the following:

10 a. A false or altered fuel tank.

11 b. Original factory equipment of a vehicle that is modified,
12 altered, or changed.

13 c. A compartment, space, or box that is added to or
14 fabricated, made, or created from existing compartments,
15 spaces, or boxes within a vehicle.

16 2. A person who owns, operates, or possesses a motor vehicle
17 with the knowledge that the motor vehicle contains a false or
18 secret compartment, and who owns, operates, or possesses the
19 motor vehicle with the intent to store, conceal, camouflage,
20 hide, smuggle, transport, or prevent discovery of a person,
21 controlled substance, firearm, weapon, or other contraband
22 within the false or secret compartment, is guilty of an
23 aggravated misdemeanor.

24 3. A person who knowingly designs, assembles, constructs,
25 builds, alters, fabricates, attaches, fortifies, installs,
26 places, maintains, or causes to be placed a false or secret
27 compartment in a motor vehicle with the intent that the false
28 or secret compartment be used to store, conceal, camouflage,
29 hide, smuggle, transport, or prevent the discovery of a person,
30 controlled substance, firearm, weapon, or other contraband
31 within the false or secret compartment, is guilty of a class
32 "D" felony.

33 4. The fact that the false or secret compartment was
34 inoperable or was not in use or that the existence of the
35 compartment was known to a peace officer is not a defense to a

1 violation of this section.

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EXPLANATION

3 This bill relates to the use of a false or secret compartment
4 in a motor vehicle, and provides penalties.

5 Under the bill, a person commits an aggravated misdemeanor
6 if the person owns, operates, or possesses a motor vehicle with
7 the knowledge that the motor vehicle contains a false or secret
8 compartment, and the person owns, operates, or possesses the
9 motor vehicle with the intent to hide or prevent the discovery
10 of a person, controlled substance, firearm, weapon, or other
11 contraband within the false or secret compartment.

12 Under the bill, a person commits a class "D" felony if
13 the person designs, assembles, constructs, builds, alters,
14 fabricates, attaches, fortifies, installs, places, or causes to
15 be placed a false or secret compartment, or maintains a false
16 compartment in a motor vehicle with the intent that the false
17 or secret compartment be used to store, conceal, camouflage,
18 hide, smuggle, transport, or prevent the discovery of a person,
19 controlled substance, firearm, weapon, or other contraband
20 within the false or secret compartment.

21 In addition, it shall be no defense in a prosecution for
22 a violation of the bill if the false or secret compartment
23 is inoperable or is not in use, or that the existence of the
24 compartment was known to a peace officer.

25 An aggravated misdemeanor is punishable by confinement for
26 no more than two years and a fine of at least \$625 but not more
27 than \$6,250. A class "D" felony is punishable by confinement
28 for no more than five years and a fine of at least \$750 but not
29 more than \$7,500.